NPT/CONF.2005/WP.55

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

23 May 2005

Original: English

Note verbale dated 20 May 2005 from the Permanent Mission of Germany addressed to the Secretary-General of the Conference

The Permanent Mission of Germany to the United Nations presents its compliments to the Secretary-General of the Conference, and with reference to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), has the honour to request that the following German contribution submitted to the Preparatory Committee be circulated as a working paper of the Conference:

- Working paper on export control (NPT/CONF.2005/PC.III/WP.14) of 29 April 2004.

05-35810

Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

29 April 2004

Original: English

Third session
New York, 26 April-7 May 2004

Working paper on export controls submitted by Germany

The latest cases of nuclear proliferation have demonstrated that today one of the fundamental challenges to non-proliferation is the easy access to nuclear-capable dual-use technology and black market networks. One serious weakness that became apparent in this context are inadequate export controls. They greatly facilitate the job of nuclear proliferators. If they are allowed to continue unchecked they will undermine all other efforts of the State Parties to contain nuclear proliferation. Therefore, not to address this problem in a proper way would be highly negligent with the purpose of the Treaty.

In this context, the ratification of the Additional Protocol by all States Parties would represent a great leap forward since it gives the IAEA increased capabilities to monitor the trade with nuclear items. Germany regards Comprehensive Safeguards Agreements including the conclusion of an Additional Protocol as the safeguards standard that is demanded by Art. III of the Non-Proliferation Treaty. Therefore, we call upon all States Parties to conclude, ratify and implement as soon as possible an Additional Protocol.

The other lesson that needs to be drawn from these latest findings is that we need a sustained and concerted effort to set up and maintain in all states a minimum standard of export controls.

As a first step the IAEA, in cooperation with the States Parties, could take upon itself to define the minimum standard of export controls in the nuclear field that is necessary to achieve the non-proliferation goals of the NPT. The Treaty already demands export controls in Art III.2. However, those are restricted to nuclear items. They do not cover items that can be used in the nuclear and non-nuclear fields. After the lessons learned in the 1990s we believe any up-to-date minimum standard of export control must address the question of those "dual-use" items as well.

As a second step the IAEA should take an active role in enhancing nuclear export controls in NPT member states. At the request of a country or upon a proposal of the IAEA Secretariat accepted by the country the IAEA would send an expert team to this country to see if there is a

possibility to improve export controls measured against the common minimum standard. Taking up the idea and format of the IPPAS missions, the expert team could consist of national export control experts financed by their home countries. The team would make a confidential report to the Secretariat and the country. The report shall contain the results of the analysis and, if appropriate, recommendations how to improve nuclear export controls. The Secretariat would then cooperate with the country to enhance its export controls.

IAEA assistance in enhancing nuclear export controls should be open to all IAEA member States. We would call on all States to make adequate use of the IAEA assistance.

The Third PrepCom is requested to recommend to the 2005 Review Conference that this proposal is reflected in the results of Review Conference.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

23 May 2005

Original: English

Note verbale dated 20 May 2005 from the Permanent Mission of Germany addressed to the Secretary-General of the Conference

The Permanent Mission of Germany to the United Nations presents its compliments to the Secretary-General of the Conference, and with reference to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), has the honour to request that the following German contribution submitted to the Preparatory Committee be circulated as a working paper of the Conference:

- Strengthening the NPT against withdrawal and non-compliance/Suggestions for the establishment of procedures and mechanisms (NPT/CONF.2005/PC.III/WP.15) of 29 April 2004

Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

29 April 2004

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Third session
New York, 26 April-7 May 2004

Strengthening the NPT against withdrawal and non-compliance

Suggestions for the establishment of procedures and mechanisms

Working paper submitted by Germany

At the Second Prepcom of the NPT Review process 2005 Germany introduced ideas on procedures and mechanisms which could strengthen the NPT against withdrawal and non-compliance. This working paper elaborates these ideas with a view to stimulating further discussion on them.

I. Structuring Withdrawal Procedures

The NPT is the most universal multilateral treaty. It is of paramount importance to maintain its authority. In order to do so every effort should be undertaken to prevent state parties from withdrawing from the NPT and subsequently becoming de-facto nuclear weapon states. The Review Conference could look for an agreement on the rules and procedures to be observed in case that a state has the intention to withdraw from the NPT. Such an agreement should in no way limit or exclude the right of states to withdraw from the Treaty as enshrined in Art.X of the NPT, but it would set out in advance the necessary steps and procedures which should be observed in such a case.

The following ideas might be further explored:

- Establishing a requirement for a state contemplating to withdraw from the NPT to submit to all NPT-Partners prior to the notification of withdrawal in accordance with Art X a written information setting out the concerns that have led it to contemplate withdrawing from the Treaty.

- Establishing a requirement for a state contemplating to withdraw from the NPT to conduct prior consultations with NPT-state parties before exercising its right in accordance with Art. X. The information provided by that state would provide the point of departure for these consultations. The consultations could take place in the context of an extraordinary conference of the NPT to be convened immediately after a state has declared its intention to withdraw and has informed about the reasons for its intention as set out above. The consultations should provide an opportunity for exploring possible ways and means to prevent a withdrawal including measures to be adopted in the NPT context which would satisfy the stated security needs of the party which intends to withdraw.

- Examining the possibility to develop a list of criteria relating to the definition of the "extraordinary event, related to the subject matter of this Treaty". Such a list of criteria might also be helpful for conducting the consultation process suggested above.

- Determining that the right of withdrawal cannot be exercised in cases where the state in question is or is alleged to be (with relevant investigations/procedures underway) in non-compliance with the NPT.

2. Structuring the communication between NPT members

The NPT does not contain any provisions regarding procedures to be followed in cases of non-compliance. Thus when for example the grave allegations regarding non-compliance by the DPRK arose in October 2002, the community of NPT-state parties as such had no direct way of communicating or co-ordinating its views.

It might therefore be worth examining whether the Review Conference would be able to remedy the situation by establishing communication rules and procedures in cases of serious non-compliance. Possible Mechanisms to be established in the NPT framework should however in no way detract from the role and obligations of the IAEA in this regard.

The following suggestions might be examined by the Review Conference:

- Establishment of a formal point of contact system similar to the ones that were established for other Treaties and agreements (for example ICC of HCoC). A point of contact could also be used to strengthen the interactivity of the Review Process in providing a forum for questions and answers between the regular Prepcom Meetings and the Review conferences themselves

- Establishment of procedures for extraordinary conferences of the NPT-state parties to be convened in cases of serious violations of the NPT. While the criteria for an extraordinary conference in a case of withdrawal can be clearly defined, a conference in reaction of serious violations of the NPT has to be subject to a quorum to be decided. Such a conference would provide high-profile opportunities to discuss specific non-compliance cases.

3. Structuring the reaction to a withdrawal

In cases where a withdrawal of a state from the NPT can ultimately not be avoided, the international community has to look for ways to reduce the possibilities of such a state, to benefit further from the technology and the know-how it has acquired under Art.IV of the NPT during its membership. This might indeed be very difficult to put into practice once a withdrawal has taken place. Thus the Review Conference could

- reaffirm the understanding of the NPT member states, that membership of and full compliance with the NPT represents a key requirement of the international community in order to participate in the development of the applications of nuclear energy for peaceful purposes.

- call on supplier countries to include in their delivery agreements the provision that the items delivered should remain under IAEA safeguards if the recipient state withdraws from the NPT.

- underline the understanding, that nuclear equipment, technology and know-how obtained as a member state of the NPT in accordance with article IV of the NPT, remains also in case of a withdrawal from the NPT by a state restricted to peaceful uses only and in consequence has to remain subject to IAEA-safeguards.

- consider in addition the possibility to establish a right for supplier countries or the IAEA to ask a state for the immediate restitution of material and technology delivered under Art.IV of the NPT in case that the state withdraws from the NPT. There could also be a provision allowing for the shut down of relevant capacities/facilities to be required. No state withdrawing from the NPT should have the right to benefit from the capacities and technological knowledge that it has established in the nuclear field as a result of having made use of Art.IV of the Treaty and/or having benefited from the assistance and cooperation provided under the Treaty by the IAEA or other State parties.

- reaffirm that in accordance with international law a state withdrawing from the NPT is still accountable for breaches or acts of non-compliance committed while still being a party to the NPT. Thus the state will continue to be subject to decisions of the relevant international institutions such as the IAEA and the UNSC.

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2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

23 May 2005

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Strengthening implementation of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by the United States

The benefits of peaceful nuclear cooperation comprise an important element of the NPT. Through substantial funding and technical cooperation, the United States fully supports peaceful nuclear development in many states, bilaterally and through the IAEA. But the language of Article IV is explicit and unambiguous: States asserting their right to receive the benefits of peaceful nuclear development must be in compliance with their non-proliferation obligations under Articles I and II of the NPT. No State in violation of Articles I or II should receive the benefits of Article IV. All nuclear assistance to such a State, bilaterally or through the IAEA, should cease. The United States hopes the deliberations at this Review Conference will endorse this proposition.

Given the crisis of non-compliance with the Treaty's non-proliferation obligations now confronting the NPT and the spurious claims by certain States that other States are wrongfully seeking to halt their legitimate nuclear programmes or access to certain nuclear-related technologies, the United States believes that this Conference must address in depth all aspects of Article IV.

The United States suggests the following language on Article IV for use in the Main Committee III report and in any Review Conference Final Document.

Article IV — Peaceful Nuclear Programmes

1. The Conference recognizes the valuable contribution the NPT has made in promoting the peaceful uses of nuclear energy in a manner that reduces proliferation risks.

2. The Conference declares that all NPT supplier States should seek to facilitate the fullest possible cooperation in the peaceful uses of nuclear energy, with due consideration for the needs of developing countries and in ways consistent with the Treaty's non-proliferation objectives.

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3. The Conference reaffirms that peaceful nuclear programmes pursued by NPT parties must conform to their relevant obligations under Articles I, II and III of the Treaty.

4. The Conference recognizes that rigorous compliance with the NPT's non-proliferation obligations is essential to sustain full international confidence in peaceful nuclear applications in energy, industry, health, agriculture and other fields.

5. The Conference deplores the fact that certain NPT parties have sought to pursue nuclear weapons programmes behind the facade of allegedly peaceful nuclear programmes. It calls for rigorous measures to address this security risk to the Treaty and to maintain international confidence in peaceful nuclear cooperation among NPT parties. Article IV must be implemented in a manner that is fully consistent with the non-proliferation objectives of the NPT.

6. The Conference stresses that the right to participate in peaceful nuclear cooperation and the benefits thereof should be reserved solely for parties who are in full compliance with their relevant obligations under Articles I, II and III.

7. The Conference states that Article IV does not provide States Parties that have violated the non-proliferation provisions of the Treaty any protection from the consequences of these violations, including the imposition of measures against their nuclear programmes.

8. The Conference affirms that peaceful nuclear cooperation under Article IV is inextricably tied to a State's behaviour in fulfilling its non-proliferation obligations under the Treaty. It declares that sound implementation and enforcement of the NPT should entail reducing violators' access to nuclear technology.

9. The Conference believes that non-compliance with Articles I, II or III of the NPT should lead, at a minimum, to a halt in nuclear cooperation with that State whether bilaterally or through the IAEA. It urges all NPT supplier States, through appropriate means, to halt the use of equipment and nuclear material previously supplied and to require the elimination of these items or their return to the original supplier. The IAEA should use the relevant provisions of its Statute to take similar action.

10. The Conference believes that NPT parties in pursuit of legitimate peaceful nuclear programmes should ensure maximum possible transparency, particularly with other countries in the region, to help build confidence. It notes that secrecy breeds mistrust and undermines confidence in NPT commitments and at some point would lead to activities that would violate the Treaty.

11. The Conference affirms that Article IV does not require the transfer of any particular nuclear material, equipment or technology. It urges each NPT supplier State not to approve a transfer unless it is fully satisfied that the transfer would not contribute to proliferation.

12. The Conference emphasizes the importance of implementing Article IV to facilitate exercise of the right of NPT parties in compliance with the Treaty's non-proliferation obligations to pursue the peaceful uses of nuclear energy while ensuring against abuse of that right by parties in violation of those obligations.

13. The Conference realizes that export controls should be applied in order to protect against those NPT parties that would seek nuclear weapons capabilities

under the cover of a peaceful nuclear programme and that such measures are fully consistent with Article IV.

14. The Conference notes that the NPT neither guarantees nor prohibits the acquisition of a particular nuclear fuel cycle facility, but any such facility should conform to and be fully consistent with the scale of that country's nuclear programme as measured by international standards and economic factors.

15. The Conference understands that an assessment of whether the pursuit of an allegedly peaceful nuclear programme conforms with the NPT's non-proliferation undertakings would depend on a number of factors including the degree of transparency, rigorous compliance with safeguards undertakings, and the programme's coherence for peaceful purposes.

16. The Conference recognizes that ample fuel cycle services will exist for the foreseeable future and that there is no near-term need for any NPT party currently without full-scale, functioning enrichment or reprocessing facilities to embark upon or complete the construction of such facilities.

17. The Conference supports an expansion of international partnerships to include new donor and recipient States in cooperative efforts such as reducing stockpiles globally of highly enriched uranium used in civil research reactors and converting such reactors to the use of low enriched uranium where possible.

18. The Conference encourages all States to reduce the risk that terrorism poses to peaceful nuclear programmes by ensuring the application of strong security measures to nuclear material, radioactive sources, and associated facilities.

19. The Conference endorses efforts to combat nuclear terrorism such as implementing the IAEA's Nuclear Security Action Plan, supporting the revised Code of Conduct on the Safety and Security of Radioactive Sources, and accelerating efforts to improve regulatory control of radioactive sources in more than 90 member States of the IAEA.

20. The Conference recognizes the importance of the Convention on the Physical Protection of Nuclear Material in setting standards for the protection of nuclear material used for peaceful purposes, and supports efforts to strengthen the Convention and to increase the number of parties.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

24 May 2005

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New York, 2-27 May 2005

Strengthening implementation of article III of the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by the United States of America

Handling the proliferation challenges that we, the parties to the NPT, face requires a robust IAEA safeguards system that not only helps to protect our common security against nuclear proliferation, but also builds confidence that peaceful nuclear development is not being abused. Safeguards are therefore essential to facilitating peaceful nuclear programs. As President Bush stated last year, "we must ensure the IAEA has all the tools it needs to fulfill its essential mandate." Making the Additional Protocol the verification standard and establishing a special safeguards committee of the IAEA Board of Governors are two key ways to strengthen international safeguards and provide the IAEA with much needed support and access.

An effective, transparent export control regime also helps build confidence among states that assistance provided for peaceful nuclear development will not be diverted to illegal weapons purposes. Yet, recent developments and revelations are troubling. The spread of enrichment and reprocessing technology poses a particularly dangerous risk. Collectively, we need to address urgently the very real security implications of the further spread of these technologies. Some countries, such as Iran, are seeking these facilities, either secretly or with explanations that cannot withstand scrutiny. We dare not look the other way. As President Bush has proposed, tighter controls should be adopted on enrichment and reprocessing technologies. We must close the loopholes in the Treaty that allow the unnecessary spread of such technologies. This can be accomplished without compromising truly peaceful nuclear programs, and in a manner that ensures that NPT parties that have no such facilities and are in full compliance with the Treaty are able to acquire nuclear fuel at a reasonable price.

The United States suggests the following language on Articles III for use in the Main Committee II report and in any Review Conference Final Document.

Article III
(IAEA safeguards — export controls — supplier measures)

1. The Conference urges all NPT parties to comply strictly with their safeguards obligations and to actively assist the IAEA in resolving questions or difficulties that arise in the application of safeguards.

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2. The Conference encourages strong political and financial support for the rigorous implementation of IAEA safeguards and calls upon all states to provide the IAEA with credible information relevant to compliance with safeguards obligations.

3. The Conference reaffirms that all NPT NNWS that have not done so should bring into force at the earliest possible date the safeguards agreement required by Article III.4 of the NPT and thereby come into compliance with that Treaty obligation.

4. The Conference underlines the need for universal adherence to the IAEA Additional Protocol and calls upon all NPT parties that have not done so to bring a Protocol into force at the earliest possible date.

5. The Conference believes that implementation of the Additional Protocol is a key standard by which to measure a party's commitment to its nonproliferation obligations under the NPT, and that the Protocol should become an essential new standard in the field of nuclear supply by the end of 2005.

6. The Conference endorses efforts to strengthen the ability of the IAEA to ensure that nations comply with safeguards agreements, including through the adoption of a Special Committee of the Board of the Governors.

7. The Conference considers that any state under investigation by the IAEA Board of Governors for unresolved safeguards violations should not participate in decisions by the Board regarding its own cases, while retaining the right to address the Board in connection with such an investigation.

8. The Conference believes NPT parties should cooperate with the IAEA at all times and grant any access requested by the IAEA, consistent with the relevant safeguards agreement, for purposes of facilitating confidence through enhanced transparency.

9. The Conference urges full support for IAEA efforts to obtain a full explanation of nuclear programs being investigated for possible safeguards violations, encourages NPT parties to act immediately when called upon by the IAEA Board of Governors to provide additional information or access in such cases, and requests the IAEA Director-General to keep the Board of Governor's fully and currently informed of any such investigation.

10. The Conference affirms the importance of decisions by the IAEA Board of Governors on early provision of design information and notes that construction of secret nuclear facilities by NPT NNWS would constitute non-compliance with NPT Article III. It states further that such non-compliance would be magnified by a lack of transparency, delay or deception in providing information about these facilities once they are uncovered.

11. The Conference recognizes that a report to the UN Security Council on safeguards violations is required by Article XII.C of the IAEA Statute whenever the IAEA Board of Governors calls on a state to remedy any safeguards non-compliance that the Board finds to have occurred. It also urges the Board to provide such a report in the event that it finds that the IAEA is not able to verify that there has been no diversion of nuclear material required to be safeguarded to nuclear weapons or other nuclear explosive devices.

12. The Conference believes that any report by the IAEA Board of Governors to the UN Security Council regarding questions of compliance with safeguards should be submitted to the Council in a timely fashion. It recognizes that the IAEA must proceed with care and diligence in order to conduct a thorough investigation of safeguards problems, but concludes that protection of the security of NPT parties and enforcement of the NPT is served by prompt reporting.

13. The Conferences urges the IAEA to act swiftly in conformity with its Statute to halt technical assistance and seek its return from any IAEA member that fails to remedy noncompliance with an IAEA safeguards agreement in a reasonable time period. The IAEA Board of Governors should consider a suspension of technical assistance for any members under investigation for such noncompliance. Persistent violations of safeguards agreements should lead to a suspension of the rights and privileges of membership as permitted under the Statute.

14. The Conference notes that NPT parties have entrusted matters vital to their security to the IAEA and to its Board of Governors. It emphasizes that NPT parties have a right to expect the IAEA and the Board of Governors to conduct investigations of noncompliance not only fairly and objectively, but also vigorously, thoroughly, and promptly.

15. The Conference understands that urgent measures are needed to curtail the spread of enrichment and reprocessing facilities, which are known to have been sought secretly by four NPT parties to date, in pursuit of nuclear weapons and in violation of the Treaty. Until appropriate measures are in place, it would be prudent for supplier states not to undertake new initiatives involving the transfer of such equipment and technology to additional states.

16. The Conference affirms the need to assure a reliable supply of nuclear fuel at reasonable cost to NPT parties that are in compliance with the Treaty and their safeguards obligations, which possess civil nuclear power reactors, and that do not pursue enrichment and reprocessing capabilities.

17. The Conference believes that nuclear material, equipment and technology should be supplied only to NNWS that have all their peaceful nuclear activities under IAEA safeguards and are in full compliance with their nuclear nonproliferation obligations, including safeguards. It believes that NPT parties in compliance with the Treaty should receive preferential treatment over non-NPT parties in regard to assistance to their peaceful nuclear programs.

18. The Conference recognizes the importance of effective controls on nuclear-related dual-use items. Such items should not be transferred to any NNWS for any nuclear explosive activity or an unsafeguarded nuclear fuel cycle activity, or to any state if there is an unacceptable risk of diversion to such an activity, or if the transfers are contrary to preventing the proliferation of nuclear weapons, or when there is an unacceptable risk of nuclear terrorism.

19. The Conference urges that nuclear export controls be strengthened to take into account the possibility that nuclear-related equipment, material or technology could be diverted to terrorists. Exporters should ensure that recipients have in place effective physical protection of relevant nuclear material and facilities. Strong controls should also be applied to the export of radiological materials to ensure their use only for peaceful purposes.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

24 May 2005

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Strengthening the implementation of article X of the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by the United States

The right to withdraw from the Treaty remains a sovereign right. But it is also true that parties to the NPT have a sovereign right to consider the ramifications upon their individual and collective security of such a withdrawal, including by States that have breached their obligations prior to withdrawal. We, the parties to the Treaty, should make clear that consequences will flow from withdrawal from the Treaty and, in doing so, deter such actions and further the goal of universal adherence.

The United States offers the following language for inclusion in the final report of Main Committee III and in any product of the 2005 NPT Review Conference.

Article X — Withdrawal

1. While affirming the sovereign right of any NPT State to withdraw in strict conformity with the provisions of Article X.1, the Conference strongly urges any State contemplating such action to engage in consultations, prior to withdrawal, with regard to the events that are leading it towards such a decision.

2. The Conference believes it is the duty of every NPT party to render all possible assistance to any State contemplating a notification of withdrawal in order to dissuade it from such a decision.

3. The Conference states that any notification of withdrawal should state clearly the extraordinary circumstances that have led the State in question to conclude that its supreme national interests have been jeopardized.

4. The Conference urges the Security Council upon receipt of a notification of withdrawal to meet promptly and identify steps to deal with the State's intention to withdraw, including addressing any security consequences of the intended withdrawal and, as appropriate, engaging the State intending to withdraw in a dialogue.

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5. The Conference concludes that any NPT party withdrawing from the Treaty prior to remedying a violation of the Treaty should remain accountable for that violation.

6. The Conference believes that NPT parties should consider a wide range of actions in response to the withdrawal. The NPT Depositary States should meet to determine what role they might play in dealing with the situation.

7. The Conference states that the IAEA Board could convene to consider the consequences for IAEA safeguards of the possible NPT withdrawal by a State party, including possible retention of safeguards on nuclear equipment and material imported by that State prior to withdrawal.

8. The Conference notes that nuclear suppliers could meet to consider joint or unilateral actions. In addition to a cut-off of nuclear supply, supplier States could consider individual and/or joint action to monitor compliance with bilateral assurances that may pertain to nuclear material and equipment that had been supplied to the State prior to its withdrawal.

9. The Conference believes that NPT nuclear supplier States should, through appropriate means, seek a halt in the use of nuclear material and equipment previously supplied to the withdrawing State, and the elimination of such items or their return to the original supplier.

10. Another step that could be taken by States in a position to do so would be to focus intelligence and interdiction resources on the withdrawing State in an attempt to stop any clandestine procurement directed at the acquisition of a nuclear weapons capability.

NPT/CONF.2005/WP.60

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

25 May 2005

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New York, 2-27 May 2005

Strengthening the implementation of articles I and II of the Treaty on the Non-Proliferation of Nuclear Weapons

Working paper submitted by the United States

The NPT is a key legal barrier against the spread of nuclear weapons and material related to the production of such weapons. The NPT is fundamentally a Treaty for mutual security. It is clear that the security of all member states depends on unstinting adherence to the Treaty's nonproliferation norms by all other parties. The Treaty's principal beneficiaries are those member states that do *not* possess nuclear weapons because they can be assured that their neighbors also do not possess nuclear weapons. Strict compliance with nonproliferation obligations is essential to regional stability, to forestalling nuclear arms races, and to preventing resources needed for economic development from being squandered in a destabilizing and economically unproductive pursuit of weapons.

Today, the Treaty is facing the most serious challenge in its history due to instances of noncompliance with its nonproliferation obligations. Although the vast majority of member states have lived up to these obligations, which constitute the Treaty's most important contribution to international peace and security, some have not. We must confront this challenge in order to ensure that the Treaty remains relevant. This Review Conference provides an opportunity for NPT States Parties to demonstrate resolve in reaffirming our collective determination that noncompliance with the Treaty's core nonproliferation norms is a clear threat to international peace and security.

The United States suggests the following language on Articles I and II for use in the Main Committee I report and any Review Conference Final Document

Articles I and II - Nonproliferation

1. The Conference declares that the NPT provides a key legal barrier to nuclear weapons proliferation and makes a critical contribution to international security. Parties must seek ways to strengthen the Treaty to ensure that it continues to play an effective role in promoting world peace and security.

2. The Conference notes that the NPT has faced a number of profound challenges since the last Review Conference due to non-compliance with the Treaty's nonproliferation obligations. This has undermined the

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core objective of the NPT -- to prevent the spread of nuclear weapons -- and has decreased confidence in the nonproliferation regime and put at risk the security benefits of the Treaty.

3. The Conference recalls that the United Nations Security Council affirmed, in its 31 January 1992 Declaration and in U.N. Security Council Resolution 1540 of 28 April 2004, that proliferation of weapons of mass destruction constitutes a threat to international peace and security.

4. The Conference recognizes that NPT parties accede to the Treaty to enhance their security through each party's acceptance of nonproliferation obligations. These security benefits will be realized only so long as all parties comply with and enforce these obligations. Noncompliance threatens all parties and demands an effective response or there will be further erosion in security and in confidence in the NPT.

5. The Conference affirms the importance of the collective will of its parties to strengthen compliance with and enforcement of the Treaty's nonproliferation obligations. NPT parties that violate the Treaty's nonproliferation undertakings must be held accountable.

6. The Conference recognizes the need to persist in efforts to resolve ongoing cases of noncompliance, not only to remedy the security threat posed by these states, but also to demonstrate the international community's resolve and to deter others from following the violators' defiant behavior.

7. The Conference expresses concern with the appearance of clandestine international nuclear supply and procurement networks, including for the most sensitive technologies and weapons designs. The exposure of the A.Q. Khan network and the history of NPT violations involving enrichment and reprocessing clearly demonstrate that more needs to be done.

8. The Conference is concerned about the risk that certain states could acquire fissile material production capability and then violate or withdraw from the Treaty to pursue nuclear weapons.

9. The Conference considers that the crisis of noncompliance by Treaty parties threatens the security of all nations, including through the potential for terrorists to exploit these violations in their own pursuit of nuclear material for a radiological device or nuclear weapon.

10. The Conference urges NPT nuclear-weapon state parties to establish and enforce the controls necessary to ensure compliance with their Article I undertakings and to consult among themselves periodically in an effort to ensure the application of all necessary control measures.

11. The Conference urges NPT non-nuclear-weapon state parties to refrain from activities designed to develop a nuclear weapons capability, to ensure that the necessary national laws and regulations have been adopted and are being strictly enforced to comply with their NPT Article II undertaking, and to provide transparency sufficient to demonstrate that their nuclear programs conform with their nonproliferation obligations.

12. The Conference affirms the need for a high standard of compliance with Article II. It calls on all NPT parties to assess and enforce compliance with the prohibition on the manufacture and acquisition of nuclear weapons, as well as on the seeking and receiving of any assistance in the manufacture or acquisition of nuclear weapons. It urges NPT parties to identify and stop all such violations as early as possible, well before these activities result in the actual manufacture or acquisition of a nuclear weapon.

13. The Conference underlines, in that regard, that facts indicating that the purpose of a particular activity is the acquisition of a nuclear weapon would suggest noncompliance with Article II. Examples of activities indicative of noncompliance include clandestine facilities or procurement, willful IAEA safeguards violations, a pattern of deception and denial, and the pursuit of a nuclear program with no legitimate justification for peaceful purposes (e.g., the acquisition of enrichment or reprocessing facilities with no clear economic justification).

14. The Conference supports UN Security Council Resolution 1540, adopted on April 28, 2004 on preventing the proliferation of weapons of mass destruction and strengthening export controls and nuclear material security, and invites cooperation in its implementation including through the provision of assistance where possible and needed. It urges all states, as required by Resolution 1540, to adopt national legal and regulatory measures, including enforcement provisions with appropriate penalties for violations. This Resolution is particularly important in thwarting the activities of non-state actors that have contributed to NPT violations in recent years. The Conference calls on all NPT parties to ensure that their national legal systems reflect both the broad goals of the NPT and the specific requirements of Resolution 1540, and are adequate to ensure compliance by persons and entities within their jurisdiction.

15. The Conference recognizes the importance of the action by the United Nations General Assembly in adopting on April 13, 2005, the International Convention for the Suppression of Acts of Nuclear Terrorism. It believes this Convention will, when it enters into force, strengthen the international legal framework to combat nuclear terrorism and thus supplement the nonproliferation undertakings of the NPT. It urges nations to sign the Convention when it opens for signature on September 14, 2005, and to ratify and implement it as soon as possible.

16. The Conference supports coordinated activities, consistent with international law, to interdict shipments, whether to or from states or non-state actors, of WMD-related equipment, materials, and technology that are inconsistent with the NPT's nonproliferation principles. It stresses that the Proliferation Security Initiative and similar activities that are carried out consistent with national legal authorities and relevant international law, including UN Security Council decisions, provide an extra measure of enforcement of existing treaties and regimes including the NPT.

17. The Conference welcomes the ongoing effort to amend the UN Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation and thus broaden the authority of the Convention to conduct maritime interdictions of WMD-related shipments. It considers this a useful effort toward expanding the tools available to thwart proliferation and urges all states to cooperate toward the goal of endorsing these amendments at a diplomatic conference scheduled for October 2005.

18. The Conference considers that NPT parties should foster an attitude of zero tolerance for violations and make clear in advance a willingness to invoke promptly strong measures in response to any noncompliance. It judges that such policies would decrease the risk of future violations and help restore international confidence in the viability of the nonproliferation regime.

19. The Conference encourages NPT parties to consider a wide range of responses to any noncompliance with the NPT and to take appropriate steps, including, but not limited to, a halt to nuclear cooperation with the offending state. NPT parties should, through appropriate means, seek a halt in the use of equipment or material acquired or produced as a result of a material violation of the NPT's nonproliferation obligations, and require the return of such items or their elimination.

20. The Conference recalls the role of the UN Security Council when cases of nuclear proliferation, including noncompliance with Articles I or II, are brought to its attention. The Council should act promptly in such circumstances to determine a response, particularly when a case constitutes a threat to international peace and security.

21. The Conference stresses that NPT violators can improve their standing in the international community by a return to strict compliance with the Treaty, implementation of the Additional Protocol, and the complete, verifiable and irreversible dismantling of any components supporting a nuclear weapons program.

22. The Conference believes that lifting of measures imposed on a noncompliant state should be strictly linked to verifiable actions that demonstrate over a period of time that the state has remedied the violation and that any remaining nuclear activities are fully consistent with its NPT obligations.

23. The Conference commends the government of Libya for its decision to abandon its nuclear weapons program and come back into compliance with the NPT.

NPT/CONF.2005/WP.61

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

27 May 2005

Original: English

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Working paper: "Security assurances" submitted to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons by New Zealand on behalf of Brazil, Egypt, Ireland, Mexico, Sweden and South Africa as members of the New Agenda Coalition

1. INTRODUCTION

The Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons states that:

> "The Conference agrees that legally binding security assurances by the five nuclear-weapon States to the non-nuclear-weapon States to the Treaty on the Non-Proliferation of Nuclear Weapons strengthen the nuclear non-proliferation regime. The Conference calls upon the Preparatory Committee to make recommendations to the 2005 Review Conference on this issue."

Paragraph 8 of the 1995 Principles and Objectives for Nuclear Non-Proliferation and Disarmament states that:

> "Noting United Nations Security Council resolution 984(95), which was adopted unanimously on 11 April 1995, concerning both negative and positive security assurances, further steps should be considered to assure non-nuclear weapon States party to the Treaty against the use or threat of use of nuclear weapons. Theses steps could take the form of an internationally legally binding instrument."

The 1990 Review Conference draft Final Document stated in paragraph 7 under the heading Security Assurances, which, while the document as a whole did not achieve agreement, was consensus language, that:

> "The Conference recognises the need for effective international arrangements, that could be included in an international legally binding instrument, to assure non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons. The conclusion of an international instrument providing for such arrangements would strengthen the security of non-nuclear-weapon States parties to the Treaty and offer additional incentives to other non-nuclear-weapon States to

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adhere to the Treaty. Participation of all nuclear-weapon States, including those which are not parties to the Treaty, in such an instrument would contribute to ensuring its maximum effectiveness."

In the Advisory Opinion of the International Court of Justice on the "Legality of the Threat or Use by a State of Nuclear Weapons in Armed Conflict" it was decided unanimously that:

"There is in neither customary nor conventional international law any specific authorisation of the threat or use of nuclear weapons" and that "A threat or use of force by means of nuclear weapons that is contrary to Article 2, paragraph 4, of the United Nations Charter, and that fails to meet all the requirements of Article 51, is unlawful."

2. PERSPECTIVE

The issue at stake is the granting of legally binding security assurances to the non-nuclear-weapon States parties of the NPT, thereby fulfilling the undertaking which should be given to the States which have voluntarily given up the nuclear-weapons option by becoming parties to the Treaty. The negotiation of legally binding security assurances within the NPT umbrella, as opposed to some other forum, would provide a significant benefit to the Treaty parties and would be seen as an incentive to those who remain outside the NPT. Security assurances rightfully belong to those who have given up the nuclear weapon option as opposed to those who are still keeping their options open. They would strengthen the nuclear non-proliferation regime and confirm the role of the NPT and its indefinite extension.

3. SECURITY ASSURANCES IN THE CONTEXT OF THE NPT

The issue of legally binding security assurances to non-nuclear-weapon States is a complex issue. Key questions that would need to be addressed are:

- Identification of the States providing the security assurances;
- Identification of the beneficiaries of such security assurances;
- The nature and scope of the security assurances being provided;
- Elements that would need to be included in a legally binding instrument on security assurances; and
- In what format such security assurances would be provided.

4. IDENTIFICATION OF THE STATES PROVIDING SECURITY ASSURANCES

The only States in a position to provide security assurances, in that they are legally in a position to possess nuclear weapons and thereby having the capacity to use or threaten to use nuclear weapons, are the nuclear-weapon States. Article IX (3) of the nuclear Non-Proliferation Treaty identifies and defines a nuclear weapon-State as a one "... which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967."

5. IDENTIFICATION OF THE BENEFICIARIES OF SECURITY ASSURANCES

United Nations Security Council Resolution 984(1995), acknowledges the legitimate interest of all non-nuclear-weapon States under the NPT to receive security assurances. This legitimate interest of all of the NPT's non-nuclear-weapon States is further acknowledged in the statements (S/1995/261, S/1995/262, S/1995/263, S/1995/264, S/1995/265) made by each of the nuclear-weapons States on the issue of security assurances.

6. THE NATURE AND SCOPE OF THE SECURITY ASSURANCES BEING PROVIDED

Security assurances comprise of negative and positive assurances. Negative security assurances are those in terms of which there is an undertaking by the nuclear-weapon States not to use or threaten to use nuclear weapons. Positive security assurances are those in terms of which there is an undertaking to provide assistance, in accordance with the United Nations Charter, to a State victim of an act of nuclear-weapons aggression or the object of a threat of such aggression.

A complicating factor in this regard, however, is that all non-nuclear-weapon States are not similar. Many of non-nuclear-weapon States parties to the NPT are members of security arrangements/alliances that rely on the nuclear capability of nuclear-weapon States as an integral part of their defence strategy. It is for this reason that in some of the abovementioned statements of the nuclear-weapon States (France, Russia, United Kingdom, United States) on security assurances, these assurances were qualified by to exclude cases of an invasion or any other attack on a nuclear-weapon State's territory, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.

A further qualification included in some of the 1995 security assurance statements of the nuclear-weapon States (United Kingdom, United States) was that those assurances given emphasised that the assurances were not regarded as applicable if any beneficiary is in material breach of its own non-proliferation and disarmament obligations under the NPT. It is assumed that the material breach referred to here relates to instances where a non-nuclear-weapon-States party to the NPT is acquiring or developing nuclear weapons in contravention with the Treaty.

The negotiation of any internationally legally binding instrument on security assurances would need to take these factors into account. Should such elements be included in the agreement it would mean that, while all non-nuclear weapon States parties to the NPT are beneficiaries of security assurances, these assurances would in certain circumstances be qualified.

7. ELEMENTS THAT WOULD NEED TO BE INCLUDED IN AN INTERNATIONALLY LEGALLY BINDING INSTRUMENT ON SECURITY ASSURANCES

An internationally legally binding instrument would, inter alia, need to include the following elements:

- A general statement of the security assurances which are the subject of the instrument.
- The identification of the States providing the security assurances.
- The identification of the States beneficiary of the security assurances.
- Any qualifications to the security assurances provided for in the instrument.
- Provisions on the mandatory actions to be undertaken by the Security Council where a beneficiary of the security assurances are the subject of a threat of use or use of nuclear weapons.

8. THE FORMAT IN WHICH SECURITY ASSURANCES WOULD BE PROVIDED

Security assurances should be provided in the context of an internationally legally binding instrument, which could either be in the format of a separate agreement reached in the context of the nuclear Non-Proliferation Treaty, or as a protocol to the NPT. The arguments that declarations made by the nuclear-weapon States are sufficient or that these assurances should only be granted in the context of nuclear-weapon-free zones are not valid. The primary undertaking not to aspire to nuclear weapons has been made under the NPT; it is therefore in the context of or as a part of this Treaty that security assurances should also be given.

9. A DRAFT [PROTOCOL] [AGREEMENT]

A draft [Protocol] [Agreement] that demonstrates how security assurances could be encapsulated taking into account the contents of this paper is attached. This draft is attached on the understanding that any such [Protocol] [Agreement] would be the subject of intensive and detailed negotiations that would need to be agreed upon by consensus amongst all the States parties to the NPT. As such, it is further understood that all States parties would reserve, and exercise, the right to make proposals for changes, additions and/or deletions to the text, should it be considered as a possible basis for further work.

Annex

Draft [protocol] [agreement] on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Preamble

The States party to this [Protocol] [Agreement],

Being also parties to the Treaty on the Non- Proliferation of Nuclear Weapons opened for signature in London, Moscow and Washington on 1 July 1968 (hereinafter called 'the Treaty'),

Convinced that every effort must be made to avoid and avert the danger of nuclear war, to prevent the spread of nuclear weapons, to facilitate international cooperation in the peaceful uses of nuclear energy with particular emphasis on the needs of developing countries, and reaffirming the crucial importance of the Treaty to these efforts, **(Taken from UNSCR 984(1995))**

Taking into consideration the legitimate concern of non-nuclear weapon States that, in conjunction with their adherence to the Treaty, further appropriate measures are undertaken to safeguard their security, **(Taken from UNSCR 984(1995))**

Agreeing that legally binding security assurances by the five nuclear weapon states to the non-nuclear weapon states parties to the Treaty strengthen the nuclear and non-proliferation regime, **(Taken from 2000 NPT Final Document)**

Recognising the legitimate interest of non-nuclear-weapon States parties to the Treaty to receive security assurances, **(Taken from UNSCR 984(1995))**

Reaffirming the need for all States party to the Treaty to comply fully with all their obligations, **(Taken from UNSCR 984(1995))**

Reaffirming also the importance of the Treaty and the need for the full implementation and achievement of all of its provisions,

Reaffirming furthermore that the Board of Governors of the International Atomic Energy Agency (IAEA) is responsible for the consideration of cases of non-compliance with IAEA safeguards agreements, **(IAEA Statute)**

Reaffirming that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, **(Taken from 2000 NPT Final Document)**

Recalling the unequivocal undertaking by the nuclear- weapon States, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all the States Parties to the Treaty are committed under Article VI of the Treaty, **(Taken from 2000 NPT Final Document)**

Have decided and hereby agree as follows:

Article I

1. The nuclear-weapon States party to this [Protocol] [Agreement] as defined in terms of Article IX (3) of the Treaty undertake not to use or threaten to use nuclear weapons against a non-nuclear-weapon State party to the Treaty.

2. The States party to this [Protocol] [Agreement] undertake, individually or collectively, to take appropriate measures in response to a request for political, military, technical, medical, scientific or humanitarian assistance from a non-nuclear-weapon State party to the Treaty which is a victim of the use of nuclear weapons. **(Taken from UNSCR 984(1995))**

Article II

1. The security assurance provided for in terms of Article I (1) of this [Protocol] [Agreement] shall be provided by the nuclear-weapon State parties as defined in terms of Article IX (3) of the Treaty.

2. The States receiving the security assurance provided for in terms of Article I (1) shall be non-nuclear-weapon State parties to the Treaty which are in compliance with their obligations under article II of the Treaty. **(Taken from security assurances statements by NWS of April 1995)**

3. The security assurance provided for in terms of Article I (1) shall cease to apply in the event of an invasion or any other armed attack on a nuclear-weapon State's territory, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State party to the Treaty in association or alliance with a nuclear-weapon State. **(Taken from security assurances statements by NWS of April 1995)**

Article III

1. The States party to this [Protocol] [Agreement] undertake to cooperate with the Security Council of the United Nations in the event of the use or threat of use of nuclear weapons. The Security Council shall consider measures in conformity with the Charter of the United Nations to address such an act or action. **(Taken from UNSCR 984(1995))**

Article IV

1. This [Protocol] [Agreement] shall be signed and shall be open for signature by any State party to the Treaty. It shall be subject to ratification.

2. This [Protocol] [Agreement] shall enter into force for each State party on the date of deposit of its instrument of ratification.

3. This [Protocol] [Agreement] shall be of unlimited duration and shall remain in force as long as the Treaty is in force.

4. This [Protocol] [Agreement] shall not be subject to reservations.

5. Any amendments to the [Protocol] [Agreement] proposed by a State party shall be carried out in accordance with the procedures of Article VIII (1) and (2) of the Treaty.

6. Each State party to the [Protocol] [Agreement] shall in exercising its national sovereignty have the right to withdraw from the [Protocol] [Agreement] in accordance with the provisions of Article X (1) of the Treaty.

7. The operation and effectiveness of this [Protocol] [Agreement] shall be reviewed at the Review Conferences of the Treaty.

Article V

1. Nothing in this [Protocol] [Agreement] shall be interpreted as in any way limiting or detracting from the obligations of any State under other agreements or treaties on the establishment of nuclear-weapon-free zones.

Article VI

1. This [Protocol] [Agreement], the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the Archives of the Depository Governments of the Treaty. Duly certified copies of this [Protocol] [Agreement] shall be transmitted by the Depository Governments to the Governments of the signatory States.

2. IN WITNESS WHEREOF the undersigned, duly authorised, have signed this [Protocol] [Agreement].

3. DONE in triplicate, at the cities of London, Moscow and Washington, the ... day of ...

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

27 May 2005

Original: English

New York, 2-27 May 2005

Amendments* submitted by the United States of America to the Chairman's working paper of Main Committee I (NPT/CONF.2005/MC.I/CRP.3) and the working paper of the Chairman of Subsidiary Body I (NPT/CONF.2005/MC.I/SB/CRP.4)

Chairman's working paper of Main Committee I

Paragraph 1:

Replace "the" before "cornerstone" with an "a". Replace the "the" before "essential" with "an". Replace the word "foundation" with "element". End the paragraph in the third line, after "disarmament".

Paragraph 2:

Delete the existing paragraph, and replace with the following:

"In addition to the central purpose of the Treaty, namely non-proliferation, peaceful nuclear cooperation and disarmament also constitute important aspects of the Treaty to which all States Party remain committed."

Paragraph 3:

Delete the existing paragraph and replace with the following:

"The Conference encourages NPT States Party to consider a wide range of responses, including national and mutually agreed multilateral arrangements, to non-compliance with Articles I, II or III of the Treaty. Such responses should include, but would not be limited to, a halt to nuclear cooperation with the offending States. Items acquired or produced as a result of a material violation of the NPT's non-proliferation undertakings should be eliminated or returned to the original supplier."

* Paragraphs not referenced are acceptable.

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Paragraph 4:

Add the following to the existing paragraph, as the final sentence:

"The Conference endorsed universal adherence to the IAEA Additional Protocol as a key standard by which to measure a Party's commitment to its non-proliferation obligations under the Treaty."

Articles I and II and preambular paragraphs 1 to 3

Paragraph 1:

End the paragraph in the second line, after the first appearance of the word "Treaty".

Paragraph 4:

Delete the last sentence.

Paragraph 5:

Delete the last sentence.

Paragraph 7:

Beginning in the second line, delete the text from the second "and" through "weapons" on the third line.

Add new paragraph 9:

"The Conference deplores the fact that Iran and the Democratic People's Republic of Korea have sought to pursue nuclear weapons programmes behind the façade of allegedly peaceful nuclear programmes. It calls for rigorous measures to address this security risk to the Treaty and to maintain international confidence in peaceful nuclear cooperation among NPT States Party."

Add new paragraph 10:

"The Conference endorses ongoing efforts by France, Germany, and the United Kingdom to reach a diplomatic solution to the Iranian nuclear problem. Given the history of documented clandestine nuclear weapons work in Iran, any solution must include the permanent cessation of Iran's enrichment and reprocessing efforts, as well as the dismantlement of Iranian equipment and facilities related to such activity. Iran must provide such objective and verifiable guarantees in order to demonstrate that it is not using a purportedly peaceful nuclear programme to hide a nuclear weapons programme, or to conduct additionally clandestine nuclear work elsewhere in the country."

Add new paragraph 11:

"The Conference condemns the decision by the Democratic People's Republic of Korea to withdraw from the Treaty, and reaffirms the urgent need for the DPRK to completely dismantle all of its nuclear programmes in a comprehensive, prompt, transparent, verifiable, and irreversible manner. The Conference also underscores the importance of resolving the nuclear issue in the Korean Peninsula through diplomatic and peaceful means within the framework of the six-party talks."

Disarmament and non-proliferation education

Paragraph 1:

Beginning in the second line, delete the text from "ensure" through "and" on the third line.

Working paper of the Chairman of Subsidiary Body 1

Article VI and the eighth to twelfth preambular paragraphs of the Treaty

Paragraph 2:

Delete in its entirety.

Paragraph 3:

Beginning on the first line, delete the text from "and" through "efforts" on the second line. Continuing on the second line, end the paragraph after "VI".

Paragraph 5:

Delete in its entirety.

Paragraph 6:

In the second line, end the paragraph after "Initiative", and make that word plural.

Paragraph 7:

Delete in its entirety.

Paragraph 8:

Delete in its entirety.

Paragraph 9:

Delete in its entirety.

Paragraph 11:

In the third line, after "IAEA" add "controls". On that same line, delete the text from "or" through "verification".

Paragraph 12:

In the second line, delete "agrees," and replace that work with the phrase, "encourages all States Party". In the third line, delete "on an annual basis".

Negative security assurances [Delete the word "Negative".]

Paragraph 2:

In the first line, replace "unilateral" with "individual". In the third line, end the paragraph after "Treaty".

Paragraph 3:

In the first line, replace "calls upon" with "welcomes that". Also in the first line, replace "to respect" with "are respecting". In the second line, end the paragraph after "assurances".

Paragraph 5:

In the second line, after "of," add "protocols to".

Paragraph 7:

Delete in its entirety.